

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**SHERMAN WHITE, Individually, and  
T'KEYAN BLACK, Individually,**

**Plaintiffs,**

**v.**

**WESTERN LOGISTICS EXPRESS, LLC,  
A Corporation, PREMIUM TRANSPORTATION  
STAFFING, INC., A Corporation and  
DANIEL LAUDERBACK, Individually and,  
PREMIUM OF TENNESSEE, INC., A Corporation,  
Defendants.**

**No.: 17 CV 03314**

**SECOND AMENDED COMPLAINT AT LAW**

Plaintiffs, SHERMAN WHITE and T'KEYAN BLACK, by their attorneys, LAW OFFICES OF SCOTT B. WOLFMAN & ASSOCIATES, P.C., and complaining of Defendants, DANIEL LAUDERBACK, Individually, WESTERN LOGISTICS EXPRESS, LLC, A Corporation, PREMIUM TRANSPORTATION STAFFING, INC., A Corporation and PREMIUM OF TENNESSEE, INC., A Corporation, states:

**COUNT I – NEGLIGENCE – SHERMAN WHITE vs. DANIEL LAUDERBACK**

1. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, acted as an agent and employee of Defendant, WESTERN LOGISTICS EXPRESS, LLC, and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., A Corporation, when he operated a semi-truck in a southbound direction on Halsted Avenue in the City of Chicago Heights, State of Illinois, County of Cook.

2. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, had a duty to use ordinary care in the operation of his semi-truck.

SHERMAN WHITE, was injured and suffered damages of a personal and pecuniary nature and acts and/or omissions of the Defendant, DANIEL LAUDERBACK, Individually, Plaintiff, As a direct and proximate result of one or more aforesaid careless and negligent

7. Was otherwise careless and negligent.
- f. Carelessly and negligently failed to signal; and
- e. Carelessly and negligently failed to yield before attempting a lane change;
- d. Carelessly and negligently attempted a lane change when it was unsafe to do so;
- c. Carelessly and negligently failed to keep a proper look out;
- b. Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- a. Carelessly and negligently failed to operate and control said motor vehicle;

following ways:

Individually, breached his duty to use ordinary care and was negligent in one or more of the

6. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK,

vehicle collided with the vehicle driven by Plaintiff, SHERMAN WHITE.

Individually, attempted a lane change on southbound Halsted at or near Alice Street when his

5. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK,

the vehicle driven by SHERMAN WHITE.

4. On or about January 18, 2016, Plaintiff, TIKRYAN BLACK, was a passenger in

Heights, State of Illinois, County of Cook.

vehicle in a southbound direction on Halsted Avenue at or near Alice Street in the City of Chicago

3. On or about January 18, 2016, Plaintiff, SHERMAN WHITE, operated a motor

continues to suffer from said injuries.

WHEREFORE, Plaintiff, SHERMAN WHITE, prays for judgment in his favor and against the Defendant, DANIEL LAUDERBACK, Individually, in a sum greater than \$50,000.00 plus costs of this suit.

**COUNT II- NEGLIGENCE - SHERMAN WHITE vs. WESTERN LOGISTICS EXPRESS, LLC, A Corporation, PREMIUM TRANSPORTATION STAFFING, INC. AND PREMIUM OF TENNESSEE, INC.**

1. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, acted as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., when he operated a semi-truck in a southbound direction on Halsted Avenue in the City of Chicago Heights, State of Illinois, County of Cook.

2. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, and acting as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., had a duty to use ordinary care in the operation of his semi-truck.

3. On or about January 18, 2016, Plaintiff, SHERMAN WHITE, operated a motor vehicle in a southbound direction on Halsted Avenue at or near Alice Street in the City of Chicago Heights, State of Illinois, County of Cook.

4. On or about January 18, 2016, Plaintiff, T'KEYAN BLACK, was a passenger in the vehicle driven by SHERMAN WHITE.

5. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, and acting as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM

**OF TENNESSEE, INC., attempted a lane change on southbound Halsted at or near Alice Street when his vehicle collided with the vehicle driven by Plaintiff, SHERMAN WHITE.**

**6. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, and acting as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., breached his duty to use ordinary care and was negligent in one or more of the following ways:**

- a. Carelessly and negligently failed to operate and control said motor vehicle;**
- b. Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;**
- c. Carelessly and negligently failed to keep a proper look out;**
- d. Carelessly and negligently attempted a lane change when it was unsafe to do so;**
- e. Carelessly and negligently failed to yield before attempting a lane change;**
- f. Carelessly and negligently failed to signal; and**
- g. Was otherwise careless and negligent.**

**7. As a direct and proximate result of one or more aforesaid careless and negligent acts and/or omissions of the Defendant, DANIEL LAUDERBACK, Individually, and acting as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., Plaintiff, SHERMAN WHITE, was injured and suffered damages of a personal and pecuniary nature and continues to suffer from said injuries.**

**WHEREFORE, Plaintiff, SHERMAN WHITE, prays for judgment in his favor and against the Defendants, WESTERN LOGISTICS EXPRESS, LLC, A Corporation, PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., in a sum greater than \$50,000.00 plus costs of this suit.**

**COUNT III – NEGLIGENCE – T'KEYAN BLACK vs. DANIEL LAUDERBACK**

**1. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, acted as an agent and employee of Defendant, WESTERN LOGISTICS EXPRESS, LLC, and/or PREMIUM TRANSPORTATION STAFFING, INC and/or PREMIUM OF TENNESSEE, INC., when he operated a semi-truck in a southbound direction on Halsted Avenue in the City of Chicago Heights, State of Illinois, County of Cook.**

**2. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, had a duty to use ordinary care in the operation of his semi-truck.**

**3. On or about January 18, 2016, Plaintiff, SHERMAN WHITE, operated a motor vehicle in a southbound direction on Halsted Avenue at or near Alice Street in the City of Chicago Heights, State of Illinois, County of Cook.**

**4. On or about January 18, 2016, Plaintiff, T'KEYAN BLACK, was a passenger in the vehicle driven by SHERMAN WHITE.**

**5. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, attempted a lane change on southbound Halsted at or near Alice Street when his vehicle collided with the vehicle driven by Plaintiff, SHERMAN WHITE.**

**6. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, breached his duty to use ordinary care and was negligent in one or more of the following ways:**

- a. Carelessly and negligently failed to operate and control said motor vehicle;
- b. Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- c. Carelessly and negligently failed to keep a proper look out;
- d. Carelessly and negligently attempted a lane change when it was unsafe to do so;
- e. Carelessly and negligently failed to yield before attempting a lane change;
- f. Carelessly and negligently failed to signal; and
- g. Was otherwise careless and negligent.

7. As a direct and proximate result of one or more aforesaid careless and negligent acts and/or omissions of the Defendant, DANIEL LAUDERBACK, Individually, Plaintiff, T'KEYAN BLACK, was injured and suffered damages of a personal and pecuniary nature and continues to suffer from said injuries.

WHEREFORE, Plaintiff, T'KEYAN BLACK, prays for judgment in her favor and against the Defendants, DANIEL LAUDERBACK, Individually, in a sum greater than \$50,000.00 plus costs of this suit.

**COUNT IV – NEGLIGENCE – T'KEYAN BLACK vs. WESTERN LOGISTICS EXPRESS, LLC, A Corporation, PREMIUM TRANSPORTATION STAFFING, INC. and PREMIUM OF TENNESSEE, INC.**

1. On or about January 18, 2016, Defendants, DANIEL LAUDERBACK, acted as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, A Corporation, PREMIUM TRANSPORTATION STAFFING, INC. and PREMIUM OF TENNESSEE, INC., when he operated a semi-truck in a southbound direction on Halsted Avenue in the City of Chicago Heights, State of Illinois, County of Cook.

2. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, and acting as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, A Corporation and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., had a duty to use ordinary care in the operation of his semi-truck.

3. On or about January 18, 2016, Plaintiff, SHERMAN WHITE, operated a motor vehicle in a southbound direction on Halsted Avenue at or near Alice Street in the City of Chicago Heights, State of Illinois, County of Cook.

4. On or about January 18, 2016, Plaintiff, T'KEYAN BLACK, was a passenger in the vehicle driven by SHERMAN WHITE.

5. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, and acting as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, A Corporation and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., attempted a lane change on southbound Halsted at or near Alice Street when his vehicle collided with the vehicle driven by Plaintiff, SHERMAN WHITE.

6. On or about January 18, 2016, Defendant, DANIEL LAUDERBACK, Individually, and acting as an agent and employee of Defendants, WESTERN LOGISTICS EXPRESS, LLC, A Corporation and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., breached his duty to use ordinary care and was negligent in one or more of the following ways:

- a. Carelessly and negligently failed to operate and control said motor vehicle;

- b. Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- c. Carelessly and negligently failed to keep a proper look out;
- d. Carelessly and negligently attempted a lane change when it was unsafe to do so;
- e. Carelessly and negligently failed to yield before attempting a lane change;
- f. Carelessly and negligently failed to signal; and
- g. Was otherwise careless and negligent.

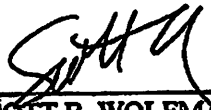
7. As a direct and proximate result of one or more aforesaid careless and negligent acts and/or omissions of the Defendants, WESTERN LOGISTICS EXPRESS, LLC, A Corporation and/or PREMIUM TRANSPORTATION STAFFING, INC. and/or PREMIUM OF TENNESSEE, INC., Plaintiff, T'KEYAN BLACK, was injured and suffered damages of a personal and pecuniary nature and continues to suffer from said injuries.

WHEREFORE, Plaintiff, T'KEYAN BLACK, prays for judgment in her favor and against the Defendants, WESTERN LOGISTICS EXPRESS, LLC, A Corporation, PREMIUM TRANSPORTATION STAFFING, INC. and PREMIUM OF TENNESSEE, INC., in a sum greater than \$50,000.00 plus costs of this suit.



Respectfully Submitted,  
Plaintiffs, SHERMAN WHITE, Individually  
and T'KEYAN BLACK, Individually,

By:

  
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SCOTT B. WOLFMAN,  
One of Plaintiffs' Attorneys

LAW OFFICES OF SCOTT B. WOLFMAN & ASSOCIATES, P.C.  
641 W. Lake Street, Suite 400  
Chicago, Illinois 60661  
Ph# 3116 1658-1800  
I.D. #40724